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UBER TECHNOLOGIES, INC.
14 and OTTOMOTTO LLC

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 WAYMO LLC,
19 Plaintiff,
20 v.
21 UBER TECHNOLOGIES, INC.,
22 OTTOMOTTO LLC; OTTO TRUCKING LLC,
23 Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MICHELLE
YANG IN SUPPORT OF
PLAINTIFF'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
PORTIONS OF ITS DISCOVERY
LETTER BRIEF IN SUPPORT OF
ITS MOTION TO COMPEL AND
EXHIBITS THERETO (DKT. 878)**

Trial Date: October 10, 2017

1 I, Michelle Yang, declare as follows:

2 1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this
3 declaration based upon matters within my own personal knowledge and if called as a witness, I
4 could and would competently testify to the matters set forth herein. I make this declaration in
5 support of Plaintiff's Administrative Motion to File Under Seal Portions of Its Discovery Letter
6 Brief in Support of Its Motion to Compel and Exhibits Thereto (Dkt. 878).

7 2. I have reviewed the following documents and confirmed that only the portions
8 identified below merit sealing:

Document	Portions to Be Filed Under Seal
Waymo's Discovery Letter Brief ("Letter Brief") (Dkt. 878-4)	Marked portions (in red boxes)
Exhibit 2 of Waymo's Letter Brief	Highlighted Portions (blue)
Exhibit 3 of Waymo's Letter Brief	Highlighted Portions (blue)
Exhibit 4 of Waymo's Letter Brief	Highlighted Portions (blue)
Exhibit 5 of Waymo's Letter Brief	Highlighted Portions (blue)
Exhibit 11 of Waymo's Letter Brief	Entire Document
Exhibit 12 of Waymo's Letter Brief	Highlighted Portions (blue)

19 3. Some of the marked portions (in red boxes) on page 5 of Waymo's Letter Brief
20 contain an identification of Uber's servers containing LiDAR-related information. Defendants
21 request that this information be kept confidential in order to protect the security of Defendants'
22 servers, and prevent them from being exposed to cyberattack.

23 4. The highlighted portions on page 3 of Exhibit 2 include highly confidential
24 information containing detailed technical information about Uber's LiDAR design, assembly
25 process, and confidential vendor information. This highly confidential information is not publicly
26 known, and their confidentiality is strictly maintained. If this information were to be released to
27 the public, Defendants' competitors would have access to technical details about Defendants'
28 LiDAR design, assembly process, and confidential vendors, and the competitors could obtain

1 insight to Defendants' design and strategy that would allow them to tailor their own LiDAR
2 development. Uber's competitive standing could significantly be harmed.

3 5. The highlighted portions on page 6 of Exhibit 2, page 32 of Exhibit 4, and page 4
4 of Exhibit 12 reference highly confidential technical descriptions of Uber's LiDAR systems. This
5 highly confidential information is not publicly known, and their confidentiality is strictly
6 maintained. If this information were to be released to the public, Defendants' competitors would
7 be able to surmise technical details about Defendants' LiDAR design and tailor their own LiDAR
8 development. I understand that Uber's competitive standing could significantly be harmed.

9 6. The highlighted portions on pages 4-9 of Exhibit 2 and pages 3, 5, 13, 32, and 33
10 of Exhibit 4 contain highly confidential information regarding third party vendors for Uber's
11 LiDAR, some of which are subject to non-disclosure agreements. Defendants are contractually
12 bound to maintain the confidentiality of these third parties' confidential information, which reveal
13 Uber's LiDAR development and strategy. If this information were to be released to the public,
14 Defendants' competitors would have access to detailed information about Defendants' LiDAR
15 design work and product development strategy, which would allow them to tailor their own
16 LiDAR development. Uber's competitive standing could significantly be harmed.

17 7. The highlighted portions on page 19 of Exhibit 3 contain highly confidential
18 information regarding business agreement terms, including information about the structure of a
19 business agreement. This highly confidential information is not publicly known, and its
20 confidentiality is strictly maintained. If this information were to be released to the public,
21 Defendants' competitors and counterparties would have insight to how Defendants structured
22 their business agreements, which would allow them to tailor their own business negotiation
23 strategy. I understand that Defendants' competitive standing could significantly be harmed.

24 8. The highlighted portions on page 40 of Exhibit 3, page 11 of Exhibit 5, and page
25 27 of Exhibit 4 contain an identification of Uber's servers or internal folder structure containing
26 LiDAR-related information. Defendants request that this information be kept confidential in
27 order to protect the security of Defendants' servers and internal folders, and prevent them from
28 being exposed to cyberattack.

ATTESTATION OF E-FILED SIGNATURE

I, Arturo J. González, am the ECF User whose ID and password are being used to file this Declaration. In compliance with General Order 45, X.B., I hereby attest that Michelle Yang has concurred in this filing.

Dated: July 17, 2017

/s/ Arturo J. González
Arturo J. González